

Fill in this information to identify the case:

Debtor 1 Elmer R. Marchbanks, Jr.

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Southern District of Ohio

Case number 3:18-bk-33595

## Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

U.S. Bank Trust National Association,  
Name of creditor: as Trustee of the Cabana Series III Trust

Court claim no. (if known): 7

Last 4 digits of any number you use to  
identify the debtor's account:

2 3 9 9

**Date of payment change:**

Must be at least 21 days after date  
of this notice 09/01/2020

**New total payment:**

Principal, interest, and escrow, if any \$ 1,125.05

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**

☒ No

☐ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ \_\_\_\_\_

New escrow payment: \$ \_\_\_\_\_

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

☐ No

☒ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: 8.55 %

New interest rate: 8.55 %

Current principal and interest payment: \$ 786.21

New principal and interest payment: \$ 786.22

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1 Elmer R. Marchbanks, Jr.  
First Name Middle Name Last Name

Case number (if known) 3:18-bk-33595

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X** /s/ Michelle R. Ghidotti-Gonsalves, Esq.  
Signature

Date 07/27/2020

Print: Michelle R. Ghidotti-Gonsalves, Esq.  
First Name Middle Name Last Name

Title Agent for Secured Creditor

Company Ghidotti Berger, LLP

Address 1920 Old Tustin Avenue  
Number Street  
Santa Ana CA 92705  
City State ZIP Code

Contact phone 949-427-2010

Email bknotifications@ghidottigberger.com

**CERTIFICATE OF SERVICE**

On July 27, 2020, I served the foregoing document described as *Notice of Mortgage Payment Change* on the following individuals by electronic means through the Court's ECF program:

**COUNSEL(S) FOR DEBTOR(S)**

John Frederick Kennel [tdbklaw@gmail.com](mailto:tdbklaw@gmail.com)

**TRUSTEE(S) / COUNSEL(S) FOR TRUSTEE(S)**

John G. Jansing [ecfclerk@dayton13.com](mailto:ecfclerk@dayton13.com)  
Asst US Trustee (Day) [USTPRegion09.CB.ECF@usdoj.gov](mailto:USTPRegion09.CB.ECF@usdoj.gov)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Ricardo Becker  
Ricardo Becker

On July 27, 2020, I served the foregoing documents described as *Notice of Mortgage Payment Change* on the following individuals by depositing true copies thereof in the United States mail at North Miami Beach, FL, enclosed in a sealed envelope, with postage paid, addressed as follows:

***Debtor***

**Elmer R. Marchbanks, Jr.**  
4808 Olive Road  
Dayton, OH 45426

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Ricardo Becker  
Ricardo Becker



BSI Financial Services  
314 S Franklin St. / Second Floor PO Box 517  
Titusville PA 16354  
Toll Free: 800-327-7861  
Fax: 814-217-1366  
myloanweb.com/BSI

July 10, 2020

ELMER R MARCHBANKS JR  
THERESA L MARCHBANKS  
4808 OLIVE RD  
DAYTON OH 45426

Loan Number: [REDACTED]  
Property Address: 4808 OLIVE RD  
TROTWOOD OH 45426

Dear ELMER R MARCHBANKS JR:  
THERESA L MARCHBANKS:

**Changes to Your Mortgage Interest Rate and Payments on 08/01/20**

Under the terms of your Adjustable-Rate Mortgage (ARM), you had a 006 month(s) period during which your interest rate stayed the same. That period ends on 08/01/20, so on that date your interest rate and mortgage payment change. After that, your interest rate may change every 6 month(s) for the rest of your loan term.

	Current Rate and Monthly Payment	New Rate and Monthly Payment
Interest Rate	8.55000%	8.55000%
Principal	\$ 293.03	\$ 295.15
Interest	\$ 493.18	\$ 491.07
Escrow (Taxes and Insurance)	\$ 338.83	\$ 338.83
<b>Total Monthly Payment</b>	<b>\$ 1,125.04</b>	<b>\$ 1,125.05 due September 1, 2020</b>

**Interest Rate:** We calculated your interest rate by taking a published "index rate" and adding a certain number of percentage points, called the "margin." Under your loan agreement, your index

Licensed as Servis One, Inc. dba BSI Financial Services.

BSI NMLS # 38078. Customer Care Hours: Mon. - Fri. 8:00 am to 11:00 pm (ET) and Sat. 8:00 am to 12:00 pm (ET).  
If you have filed a bankruptcy petition and there is an "automatic stay" in effect in your bankruptcy case or you have received a discharge of your personal liability for the obligation identified in this letter, we may not and do not intend to pursue collection of that obligation from you personally. If either of these circumstances apply, this notice is not and should not be construed to be a demand for payment from you personally. Unless the Bankruptcy Court has ordered otherwise, please also note that despite any such bankruptcy filing, whatever rights we hold in the property that secures the obligation remain unimpaired.



BSI Financial Services  
314 S Franklin St. / Second Floor PO Box 517  
Titusville PA 16354  
Toll Free: 800-327-7861  
Fax: 814-217-1366  
myloanweb.com/BSI

rate is 0.36925% and your margin is 5.90000%. The 6 MO LIBOR- 1ST BUS DAY is published Monthly in WALL STREET JOURNAL.

**Rate Limit(s):** Your rate cannot go higher than 14.55000% over the life of the loan. Your rate can change each year by no more than 1.00000%. We did not include an additional 0.00000% interest rate increase to your new rate because a rate limit applied. This additional increase may be applied to your interest rate when it adjusts again on 02/01/21.

**New Interest Rate and Monthly Payment:** The table above shows your new interest rate and new monthly payment. Your new payment is based on the 6 MO LIBOR- 1ST BUS DAY, your margin, 5.90000% your loan balance of \$ 68922.59, and your remaining loan term of 138 months.

**Prepayment Penalty:** None

**If You Anticipate Problems Making Your Payments:**

- Contact the Customer Care Department at 1-1800-327-7861 as soon as possible.
- If you seek an alternative to upcoming changes to your interest rate and payment, the following options **may** be possible (most are subject to lender approval):
  - Refinance your loan.
  - Sell your home and use the proceeds to pay off your current loan.
  - Modify your loan terms with investor.
  - Payment forbearance temporarily gives you more time to pay your monthly payment.
- If you would like contact information for counseling agencies or program in your area, call the U.S. Department of Housing and Urban Development (HUD) at 1-800-569-4287 or visit [www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm](http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm), or the U. S. Consumer Finance Protection Bureau (CFPB) at <http://www.consumerfinance.gov> . If you would like to contact information for state housing finance agency, contact U.S. Consumer Finance Protection Bureau (CFPB) at <http://www.consumerfinance.gov/mortgagehelp>.

Should you have any questions regarding this notice, please reach out to ANDREW CURTISS, you Single Point of Contact for this loan, at 1-888-738-5873.

BSI Financial Services  
314 S Franklin St, 2<sup>nd</sup> Floor  
Titusville, PA 16354  
NMLS # 38078; # 1195811

**Licensed as Servis One, Inc. dba BSI Financial Services.**

BSI NMLS # 38078. Customer Care Hours: Mon. - Fri. 8:00 am to 11:00 pm (ET) and Sat. 8:00 am to 12:00 pm (ET). If you have filed a bankruptcy petition and there is an "automatic stay" in effect in your bankruptcy case or you have received a discharge of your personal liability for the obligation identified in this letter, we may not and do not intend to pursue collection of that obligation from you personally. If either of these circumstances apply, this notice is not and should not be construed to be a demand for payment from you personally. Unless the Bankruptcy Court has ordered otherwise, please also note that despite any such bankruptcy filing, whatever rights we hold in the property that secures the obligation remain unimpaired.



BSI Financial Services  
314 S Franklin St. / Second Floor PO Box 517  
Titusville PA 16354  
Toll Free: 800-327-7861  
Fax: 814-217-1366  
[myloanweb.com/BSI](http://myloanweb.com/BSI)

If you have filed a bankruptcy petition and there is either an "automatic stay" in effect in your bankruptcy case or you have received a discharge of your personal liability for the obligation identified in this letter, we may not and do not intend to pursue collection of that obligation from you personally. If these circumstances apply, this notice is not and should not be construed to be a demand for payment from you personally. Unless the Bankruptcy Court has ordered otherwise, please also note that despite any such bankruptcy filing, whatever rights we hold in the property that secures the obligation remain unimpaired.

GR-2003-07242017\_CA08082014

**Licensed as Servis One, Inc. dba BSI Financial Services.**

BSI NMLS # 38078. Customer Care Hours: Mon. - Fri. 8:00 am to 11:00 pm (ET) and Sat. 8:00 am to 12:00 pm (ET).

If you have filed a bankruptcy petition and there is an "automatic stay" in effect in your bankruptcy case or you have received a discharge of your personal liability for the obligation identified in this letter, we may not and do not intend to pursue collection of that obligation from you personally. If either of these circumstances apply, this notice is not and should not be construed to be a demand for payment from you personally. Unless the Bankruptcy Court has ordered otherwise, please also note that despite any such bankruptcy filing, whatever rights we hold in the property that secures the obligation remain unimpaired.